

June 20, 2003

VIA U.S. MAIL AND ELECTRONIC MAIL

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

RE: D.T.E. 03-63 – E911 Surcharge

Dear Ms. Cottrell:

Enclosed for filing in the above-referenced matter, please find the Statewide Emergency Telecommunications Board Petition for Leave to Intervene. I apologize for the delay in filing; there was confusion pertaining to the SETB's need to file a motion to intervene in this proceeding.

Please note that I will be unable to attend the June 25, 2003 public hearing due to a prior commitment. Peter Ostroskey, our Deputy Director, will attend in my absence.

Thank you for your assistance in this matter.

Sincerely,

Paul J. Fahey
Executive Director
Statewide Emergency Telecommunications Board

Enclosure

cc: Joan Foster Evans, Esquire, Hearing Officer

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation by the Department of Telecommunications)
and Energy to establish a surcharge to recover prudently)
incurred costs associated with the provision of wireline)
Enhanced 911 services, relay services for TDD/TTY) D.T.E. 03-63
users, communications equipment distribution for people)
with disabilities, and amplified handsets at pay telephones.)

**PETITION OF THE STATEWIDE EMERGENCY TELECOMMUNICATIONS BOARD
FOR LEAVE TO INTERVENE**

The Statewide Emergency Telecommunications Board (“SETB”) hereby petitions the Department of Telecommunications and Energy (“Department”) for leave to intervene as a party in this proceeding pursuant to 220 C.M.R. 1.03(1). The SETB is directly and significantly affected by this proceeding based on the following:

The SETB is the board within the Executive Office of Public Safety that is currently responsible for coordinating and effecting the implementation of Enhanced 911 in Massachusetts and for administering the service, including but not limited to the promulgation of technical and operational standards in the design, implementation and operation of public safety answering points that utilize the enhanced 911 network features.

The business address of SETB is P.O. Box 156, Reading, Massachusetts, 01867.

The Department will establish the surcharge pursuant to Chapter 239 of the Acts of 2002, Massachusetts General Laws c. 159, § 12(d), and proposed regulations (220 C.M.R. §§ 16.00 et seq.) in D.T.E. 03-24. Under the proposed regulations, the SETB will establish and administer the wireline Enhanced 911 Fund related to enhanced 911 service, dual party TDD/TTY message relay service, and TDD/TTY equipment distribution service in Massachusetts.

The new surcharge will be determined in part based on the estimated program costs provided by the SETB as required by the proposed regulations (220 C.M.R. § 16.03(4)(a)). These cost estimates are contained in the Interim Surcharge Proposal that the SETB filed jointly with Verizon Massachusetts. The projected costs include reasonable and customary program costs expected to be incurred by the SETB in the provision of enhanced 911 services for all wireline customers in Massachusetts, including but not limited to: E911 data center, network services, network maintenance and operation of the service response center, administrative, training and public education costs. The SETB is concerned that the surcharge be set at a level that will continue to fund these programs and must be sufficient to recover not only prudently incurred costs associated with the provision of enhanced 911 service, dual party TDD/TTY message relay service, and TDD/TTY equipment distribution service in Massachusetts, but also prudent capital improvements to be made to the enhanced 911 system.

The SETB reserves its right to participate fully in this case and will, as necessary, present testimony and exhibits to protect its interests.

No other party can adequately represent the interests of the SETB in this proceeding.

For the above reasons, the SETB requests that the Department grant this petition for leave to intervene in the proceeding with all the rights of participation as a full party.

Respectfully submitted,
Statewide Emergency Telecommunications Board

BY _____
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